

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ARTHUR LEE GARRISON, ) 3:17-cv-00391-MMD-WGC  
Plaintiff, )  
vs. ) **ORDER**  
NEVADA DEPARTMENT OF )  
CORRECTIONS DIRECTOR, *et al.*, )  
Defendants. )

The court has granted Plaintiff leave to file an amended complaint. Plaintiff is advised, however, that the court will likely not favorably receive another filing if it mirrors Plaintiff's initial complaint, which was 415 pages long (ECF Nos. 1-1-, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13 and 1-14), and Plaintiff's lengthy addendums (ECF Nos. 3, 4 and 5). Because the original complaint was unintelligible for screening purposes, the court dismissed Plaintiff's complaint. (ECF No. 9.)

In advance of Plaintiff submitting an amended complaint, Plaintiff is again informed that pursuant to the Federal Rules of Civil Procedure, Plaintiff's complaint must be "*a short and plain statement of the claim showing that [Plaintiff] is entitled to relief.*" Fed. R. Civ. P. 8(a)(2) (emphasis added). "*Each allegation must be simple, concise, and direct.*" Fed. R. Civ. P. 8(d)(1). "A party must state its claims or defenses in numbered paragraphs, *each limited as far as practicable to a single set of circumstances.*" Fed. R. Civ. P. 10(b). "[E]ach claim founded on a separate transaction or occurrence . . . must be stated in a *separate count.*" *Id.*; emphasis added.

111

111

1        Additionally, a basic lawsuit is a *single claim against a single defendant*. However, Federal Rule  
2 of Civil Procedure 18(a) allows a plaintiff to add *multiple claims* to the lawsuit when those claims are  
3 *against the same defendant*. Additionally, Federal Rule of Civil Procedure 20(a) allows a plaintiff to  
4 add multiple parties to a lawsuit *where the right to relief arises out of the “same transaction,  
5 occurrence, or series of transactions or occurrences.”* Fed. R. Civ. P. 20(a)(2)(A). “However, *unrelated  
6 claims* that involve different defendants must be brought in *separate lawsuits.*” *Bryant v. Romero*, No.  
7 1:12-CV-02074-DLB PC, 2013 WL 5923108, at \*2 (E.D. Cal. Nov. 1, 2013) (citing *George v. Smith*,  
8 507 F.3d 605, 607 (7th Cir. 2007)) (emphasis added).

9        Complaints in federal court are governed by the concept of “notice pleadings.” Fed. R. Civ. P.  
10 8(a); *Starr v. Baca*, 652 F.3d 1202, 1212-16 (9th Cir. 2011). The “notice pleading” requirement can be  
11 violated not only “when a pleading says *too little*” but also “when a pleading says *too much.*”  
12 *Knapp v. Hogan*, 738 F.3d 1106, 1109 (9th Cir. 2013), *cert. denied*, 135 S. Ct. 57 (10/6/2017). The  
13 Ninth Circuit has never supported the proposition that a pleading “may be of unlimited length.”  
14 *Cafasso, U.S. ex rel. v. General Dynamics C4 Systems, Inc.*, 637 F.3d 1047, 1058 (9th Cir. 2011). In  
15 fact, the Ninth Circuit affirmed a dismissal of an excessively lengthy complaint under Rule 8,  
16 recognizing that unnecessarily long “complaints such as the ones Plaintiff filed in this case impose unfair  
17 burdens on litigants and judges.” *Rimer v. Lucinda Coumou, et al.*, 3:17-cv-00281-MMD-WGC,  
18 2017 WL 4799785 (10/23/2017), citing *McHenry v. Renne*, 84 F.3d 1172, 1179-80 (9th Cir. 1996).

19        Plaintiff is allowed until August 24, 2018, to file an amended complaint, at which time it will  
20 undergo screening (28 U.S.C. § 1915A(a)). However, Plaintiff is advised that an amended complaint  
21 supersedes the original complaint and, thus, the amended complaint must be complete in itself.  
22 See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989).  
23 Plaintiff’s amended complaint must contain all claims, defendants, and factual allegations that Plaintiff  
24 wishes to pursue in this lawsuit. The court will not piecemeal multiple filings in the docket to determine  
25 which claims, defendants, and allegations Plaintiff wishes to pursue. As such, Plaintiff must file one  
26 comprehensive document that he seeks to use as his amended complaint. Plaintiff must file the amended  
27 complaint on this court’s approved prisoner civil rights form and it must be entitled “First Amended  
28 Complaint.” Plaintiff need not attach copies of kites or grievances.

1 Plaintiff is further cautioned once again, however, that any amended complaint Plaintiff might  
2 file must conform to the requirements of Fed. R. Civ. P. 8(a)(2), i.e., that it be “a short and plain  
3 statement of the claim showing that [Plaintiff Garrison] is entitled to relief.” As stated above, pleadings  
4 are to be “simple, concise and direct.” Rule 8(d)(1). Plaintiff should take heed of the requirements of the  
5 Federal Rules of Civil Procedure.

6 DATED: July 23, 2018.  
7

8   
9 WILLIAM G. COBB  
10 UNITED STATES MAGISTRATE JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28